

Select Committee on Children
Rm. 011, Capitol Bldg., Hartford
Re: Raised Bill 5313

03-02-10

Raised bill ~~H.B. 5313~~ does not help GRANDPARENTS.

ADVOCATES FOR GRANDPARENT GRANDCHILD CONNECTION, a 501 ©(3) national organization submitted a great deal of responsible documentation in an effort to communicate the vital importance of enacting legislation that would preserve rather than stifle the grandparent-grandchild relationship.

Our purpose was to bring to you and all of the other legislators an idea for a bill that would preserve the grandparent grandchild relationship by giving standing to grandparents in a court of law so that they could petition for visitation.

After reviewing 5313, my question is, "HOW ARE GRANDPARENTS BETTER OFF?"

The content in this current draft is not what was referenced in our proposed bill language in fact it is counter to our proposal.

This bill as an attempt at "code clean up" does not make sense as it is framed. It is vague, too broad, confusing, incomplete and fragmentary; for example: the term "significant period of time", what is considered significant? "Parental in nature", Grandparents are NOT parents, nor should they be required to have had a "parent-like" relationship, "substantial period of time" is ambiguous and "harm" should not be a factor as it was eliminated in the Supreme Court ruling of Troxel. These are both impossible obstacles for a grandparent to overcome.

We have written our concerns to Senator Handley, who stated that this was not a final draft, which is good news, however it seems that it has far to go if it intends to fill the current gap and serve the needs of the community.

The factors that help make a statute survive is if it sensibly narrows the class of parties with standing to petition and if it expressly creates a presumption in favor of the SUPREME COURT'S mandate that parental preference be given consideration. A narrowly drafted bill similar to the "model" distributed by our organization clearly addresses the constitutionality of the due process clause in several

references throughout the statute and also clearly identifies the criteria.

46b-59 has many constraints, one being it barely addresses the constitutionality of the due process for parents, another reason to adopt an entirely new statute to include equal rights to all parties.

Document submission from January 26 Joint Informational Forum on Grandparents Rights to Visit Grandchildren can be found on CHILDRENS COMMITTEE page under (Susan Hoffman) "testimony".

On behalf of AFGGC, we respectfully do NOT support H.B.5313

Susan Hoffman

AFGGC

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